

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHRISTOPHER PAUL IWANICKI,	:	
	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	NO. 05-3613
	:	
EDWARD KLEM, et al.,	:	
	:	
Respondents.	:	
	:	

ORDER

AND NOW, this day of , 2005, upon careful and independent consideration of the Petition for Writ of Habeas Corpus and the Response thereto, and after review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport dated August 31, 2005, IT IS HEREBY ORDERED that:

1. the Report and Recommendation is APPROVED and ADOPTED;

2. the Petition for Writ of Habeas Corpus is DENIED without prejudice and DISMISSED without an evidentiary hearing; and

3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:

J. CURTIS JOYNER, J.